

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

SUMMARY OF PROPOSED ACTIONS

The following approvals are required:

SEPA - Environmental Determination – SMC Chapter 25.05

Design Review – SMC Chapter [23.41](#), with departures from the following standards:

SEPA DETERMINATIONS: ☐ Exempt ☒ DNS¹ ☐ MDNS ☐ EIS

☒ DNS with conditions

¹ Early DNS published April 15, 2004.

[] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

PROJECT DESCRIPTION

The applicant proposes a four-story structure with commercial and residential uses at ground level and three levels of residential apartments above. The project includes 70 residential units and 7160 sq.ft. of retail space. The design proposes parking to be located below grade within the structure, with access proposed from Midvale Ave N. Existing buildings are to be demolished under separate permit.

VICINITY AND SITE

The site is located in the Wallingford neighborhood, on the south side of N. 45th St. and occupying the entire block between Midvale Ave N. to the west and Stone Way N. to the east. Both 45th and Stone are minor arterials. Midvale Ave N. is a nonarterial. N. Midvale Pl, a minor arterial, meets N. 45th midblock at an angle from the west, making the site a visible terminus as vehicle traffic enters the neighborhood from the northwest. The vicinity slopes gradually from north to south (See Figure 1).

The property is located in the Wallingford Residential Urban Village, and is zoned Neighborhood Commercial 2 with a 40-foot base height limit (NC2-40, see Figure 3). The same zoning designation extends to the north, east and southeast of the subject site. Adjacent to the site on the south, land is zoned Single Family with a 5000 sq.ft. minimum lot size (SF 5000). To the west across Midvale Ave N, land is zoned residential Lowrise 2 (L2).

The rectangular site slopes a total of about 8' to the southwest and measures about 326 feet wide and about 95 feet deep, or approximately 30,870 square feet. Currently the site is occupied by Seattle Housing Authority maintenance buildings with surface parking.

Development in the vicinity reflects its zoning. To the north and southeast are structures ranging between one and four stories. Stone Way N. is characterized by an eclectic mix of low commercial buildings, including offices, stores, and a warehouse, as well as apartments and some single family homes. To the south along Stone Way N, a

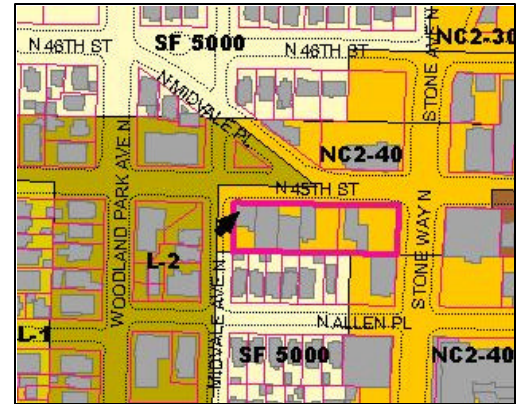


Figure 1. Vicinity zoning

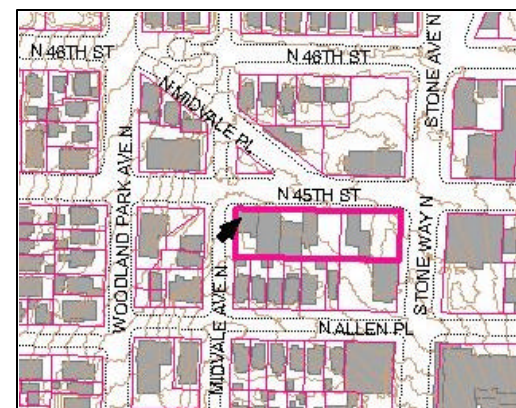


Figure 2. Local topography



Figure 3. Aerial view

few properties have been newly redeveloped and are visible examples of potential building masses inherent in area zoning. To the west and southwest of the site, the neighborhood is predominantly residential, with single family homes located to the south, and apartments and townhouses across Midvale Ave N. N. 45th Street to the east has a concentration of pedestrian-oriented businesses and mixed use structures. Future development is to be expected to the north across 45th Street, location of a recently demolished fast food restaurant.

The site is served intensively by public transit. Metro routes 14, 16, 44 and 82 pass alongside the site. A bus stop is located on Stone Way North near the site's northeast corner.

FIRST EARLY DESIGN GUIDANCE MEETING

The first Early Design Guidance meeting took place on June 16, 2003, in the cafeteria of Eckstein Middle School. The applicant submitted an early design packet, which provides a site and vicinity analysis, much of which informs this report. The packet is available for public review at the Department of Planning and Development (DPD) Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

6/16/2003, 1st EDG – Applicant's Presentation

The architect described the site context and proposed program for a mixed-use building to be located on the site. Additionally, the applicant presented two alternative site plans. Option "A" included dividing the proposed structure into three principal masses with access from Midvale Avenue North. In this scenario, the building mass would be pushed towards the North 45th Street, opening up the southern portion of the site for solar exposure and open space. The commercial uses would be located at the northeast corner, at the intersection with Stone Way, and the residential uses placed at the northwest corner. Option "B" included breaking the building bulk into two principal forms with several irregular notches above the ground level on both the northern and southern facades. In this scenario, the access would be located along Stone Way North, a busier arterial. The commercial spaces in this scenario would be more flexible in their possible configurations.

The applicant did not identify any proposed design departure requests at the first meeting.

6/16/2003, 1st EDG – Public Comment

Approximately 25 members of the public were present at the Early Design Guidance meeting. Public comments and clarifying questions focused on the following issues:

Building bulk

- Concern that the size of the proposed structure will dominate the nearby residential structures and that the height, bulk and scale compatibility between the proposed building and surrounding neighborhood will be incongruous.

- Suggestion that the scale of anticipated re-development along 45th Street is at risk of creating a canyon-like corridor – this development should seek to avoid such a design.
- Concern that one contiguous building the length of this site will be massive and should be broken into several smaller buildings;
- The height of the proposed building will be visible further to the north given the sloping geography – this condition exacerbates the impacts of height, bulk and scale to the neighborhood.

Surrounding context

- Recognition that the McDonalds site across the street does not satisfy the design objectives of the neighborhood.
- Clarifying that the “Welcome to Wallingford” community study specifies that further community spaces along 45th are not a priority.

Commercial streetfront

- Stating support for the proposed commercial uses;
- Support for the reduction of commercial (retail-type) uses in favor of residential uses at the ground level.

Parking access

- Access points at the SW and NW corners would be more desirable from the residential neighborhood standpoint;
- Preference for the parking configuration proposed under Plan B, but would like confirmation that the bus stop can be relocated; and

Landscaping and screening

- A strong landscape buffer along the south side of the site will be critical for maintaining the privacy of the abutting residential uses;
- Service areas (dumpsters) should be completely screened from the single family zoned area;
- Concern that the six mature street trees along 45th Street remain intact;
- Design attention be given to the retaining wall and fence along the southern edge of the site to screen the subject site from the residential uses to the south;

Public process

- Clarifying the role of the Design Review Board.

Other issues

- Concern with the parking impacts generated by residents of this building onto adjacent streets.
- Clarification of the calculations to determine the required parking;

SECOND EARLY DESIGN GUIDANCE MEETING

The second Early Design Guidance meeting took place on March 15, 2004, at the University Heights Community Center. The applicant submitted an updated design packet, available for public review at the DPD Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

2nd EDG, 3/15/2004 – Applicant's Presentation

Terry Galiney of the Housing Resources Group (HRG) made a brief presentation, explaining that the project involved purchasing the land from the Seattle Housing Authority (SHA). To date, the proponents have met to discuss community concerns with interested citizens through the Wallingford Neighborhood Council, and have used that feedback to supplement the Board's first Early Design Guidance and to further refine the proposal to address design priorities for the site.

Nancy Henderson, project architect with GGLO, presented her analysis of the site and vicinity. The current design concepts involve a four story structure articulated into three parts, punctuated on the north façade by two principal modulations. The principal bulk of the building is located to the north, with a wide south-facing open space located somewhat above existing grade to the south. The proposed structure exhibits a predominantly commercial nature at the corner of 45th and Stone, with a more urban edge, no residential balconies. The applicant is currently considering materials that include a concrete base with tile insets, and stucco on the levels above on the design's eastern component. Toward the corner of 45th and Midvale, façades are more residentially oriented, with a change in scale and ground floor entries, and terraces and stoops fronting Midvale. Upper stories might include lap siding along the middle section facing 45th, and predominantly lap on the western side, with standing seam vertical metal panels on the top floor. The applicant proposes operable windows for both residential and commercial spaces.

The design exceeds zoning requirements for ground-level commercial frontage and depth, and the applicant identified as a priority the creation of a viable commercial space for a stable tenant.

The architect noted that location of access to parking had been a principal concern in earlier review, and that she had pursued this discussion further with DPD staff and street use reviewers at Seattle Department of Transportation (SDoT). Based on the complexity of accessing parking from either arterial, and based on staff's overall assessment of design tradoffs, the preferred location for parking access is off Midvale Ave N. The current design program involves accessing waste and recycling storage from Stone Way.

The design's massing steps away from the residential homes to the south by locating its open space on the south. The southwest corner of the fourth floor is further set back, providing a step back across an area about the size of three residential units.

The design proposes most of the residential open space above the parking level on a south-facing plinth. The architect described three separate program areas along this long, linear terrace. On the western side, the intent is to provide private open space sheltered by landscaping. A middle section is intended to be more public, perhaps defined by a pergola. A third area to the east is to be a more active children's play area. The design envisions a wall separating the open space from the adjoining single family homes to the south, ranging in height from 10' on the west to possibly 4' on the east. The architect suggested that the wall might feature inlays or texturing as presented on photo boards.

The applicant originally, mistakenly identified a 5' sidewalk widening on the north side of the property. The original plat involved a north property line located 5' northward of the current line, but a 1904 Condemnation Ordinance widened the right of way, resulting in the current situation. As proposed, the design extends to the existing property line.

The architect provided a detailed shadow study showing the project's likely shadow impacts at summer and winter solstice and the equinoxes. At the winter equinox, the most conservative sample, the project's December shadow extends across N. 45th St. and the southern third of the property across the street. At other times of year, shadows cast on neighboring properties are shown to be relatively small or non-existent.

The architect showed examples of GGLO's other work, including the [Gilmore](#), a mixed use development located at 3rd and Pine downtown, and [Stewart Court](#), located at Bellevue Ave and East Olive Way in the Pike/Pine neighborhood. Both projects are also developed by HRG.

2ND EDG, 3/15/2004 – CLARIFYING QUESTIONS BY THE BOARD

A Board member suggested that the public should feel free to reiterate comments made in separate community meetings, to encourage free-flow of information.

How will the garage be vented? Mechanically. Might take the vents to the roof.

Have you considered brick on the lower floor? The applicant hasn't costed it out yet.

Please explain current grades along the south wall. Grades range from 208 to 201 from southeast to southwest corners.

2ND EDG, 3/15/2004 – PUBLIC COMMENT

Twenty-two (22) members of the public signed in at the Early Design Guidance meeting on March 15, 2004. Comments from the meeting focused almost entirely on design considerations under the Board's purview. Other comments related to required street improvements and parking, which DPD will address during zoning and land use review. DPD also received six letters from the community, and comments are reflected below. Comments related to design review included the following:

Architectural concept

- [Design elevations] look ordinary. Aim for something that isn't crazy, but distinctive.
- Try to break the mass down into regular patterns that organize the façade and direct the eye to interesting points on the façade.
- What is the intermediate vertical element at the center along Midvale? Too prominent.
- This site should provide good background architecture for the neighborhood. Nothing showy.

- I would like to see attention to all “corners of the building” such that there is some architectural detail that unifies the entire design while incorporating a sense of the architectures of the surrounding houses. It is as important for those driving south on Stoneway as for those driving south on Midvale Avenue North to see pleasing design features on the corners of the building.

Context

- The Bastyr building is not a successful design.
- Consider the [Press Building](#) on Capitol Hill (1610 Belmont Ave, at the corner of Belmont & Pine): solid historic materials, appropriate garage entrance, operable windows, awnings. It’s not a generic building.

Building height and bulk

- Please provide a shadow slide showing 7 AM.
- Use materials to minimize the building mass, no light colors.
- This is a difficult building to design, because it’ll be huge.
- Consider reallocating the units at the top floor on the west side to the middle somewhere. Reduce one of the courtyards and exchange height for extra coverage.
- Look for opportunities to reduce the height, even if marginally.
- Public has consistently stated this design is too big, and it’s remained its original size.
- The base is still too big. This is a long expanse along 45th. Make it seem smaller.
- The proportions of the proposed building are much too massive for the location. Appropriate would be a building of 2 stories in height. Otherwise the building towers above all else, dominating the landscape, and destroys the idea that this is a welcoming residential neighborhood. (Of course, I do realize that the site is zoned “commercial”).
- The building is out of proportion with the adjacent single-family home area. No compromise has been offered from the original proposal.
- The building is extremely big and does not fit the adjacent single family home neighborhood.

Parking entrance

- The garage entrance should be shifted to the corner.
- Concerned by the parking entrance along Midvale, particularly if there are to be commercial and residential drivers combined. Midvale Ave N. is a “Seattle chicken street”, with one lane generally available to traffic in both directions. Concerned about safety of locating parking entrance here.
- Midvale is not wide enough to handle an entrance to the parking garage. The entrance to the garage should be on 45th at the west end of the building. The issue has been raised repeatedly at meetings and ignored. Midvale is a one lane residential street not suited to this scale of commercial development.
- Put the entrance on the southeast corner of the project on Stone Way.
- Relocating the entrance would ... break up the Soviet apartment look of the proposed building.
- Parking should not be on Midvale.

Materials

- Dark metal would be appropriate. Typical beige stucco is not. “Boxed in beige”.

- Don't provide a concrete base. Invest in high quality materials, particularly at ground level. Many newer buildings nearby have provided brick. Concrete says "graffiti here".
- No metal siding please. Years from now we'll look back and say "so turn of the millennium".
- Saturated colors are welcome.
- Double-hung, operable windows would be a design asset.
- Provide good trim around windows and doors. Provide texture with punched openings.
- No metal sheeting on top. Go with something timeless, not trendy.

Commercial façade

- Provide continuous overhead protection along the extent of the commercial space. Invest in quality.
- Deeper, more ample commercial space is preferable to long and linear.

Southern façade

- Pay particular attention to the design's southern façade. Right now it resembles a dormitory.
- The new residential buildings along Stone are ugly and are not good contextual examples.
- Consider further treatment of the south-facing façade. Needs better modulation.

Landscaping

- In designing lighting and landscaping, consider issues related to security and glare.

Other

- Possible to improve the bus stop on Stone Way? It's an eyesore.
- Lots of recent and impending development in this area of Wallingford. It's overwhelming. Concerned about whether the overall plan is appropriate. Uncomfortable with the notion of departures on top of an already massively scaled building – we need to be stricter, not more lenient.
- A wider sidewalk could be a good justification for a departure from the residential open space requirement.
- Are commercial deliveries to happen off the street? Think this through carefully.

FIRST RECOMMENDATIONS MEETING

The first Design Review Recommendation meeting took place on July 19, 2004, at the University Heights Community Center. The applicant submitted an updated design packet, available for public review at the DPD Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

7/19/2004, 1ST RECOMMENDATIONS – APPLICANT'S PRESENTATION

Nancy Henderson, project architect, presented the updated design in a digital slideshow format. She summarized the site and vicinity conditions described above, and gave a brief synopsis of the architectural program: a mixed use development including 70 affordable residential apartments, with ground floor retail and a harder urban edge along the northeast and east streetfronts, and a quieter, more residential style along the northwest, with walkup residential entries on the west streetfront. To the

south, the design incorporates a raised open space divided into three different areas of varying activity, separated from the adjacent single family homes by a low, textured wall. Vehicle access is on the southwest corner, facing Midvale Ave N.

In response to Board guidance to reduce the height at its western end, the updated design has relocated the fourth floor units on this side to more eastern portions of the structure, resulting in an increase in overall lot coverage and a decrease in open space provided. The updates also feature a stronger corner expression on 45th and Stone. This portion of the building is primarily brick at the corner, with panels inbetween – the architect is aiming for “something more artistic” here, such as tiles in a herringbone pattern.

The Board’s early guidance was to explore a 2/3 – 1/3 expression of the principal building massing as seen along N. 45th St, providing for a more spacious courtyard at the main residential entry, and a stronger “corner” expression where N. Midvale Pl joins N. 45th St. The design team prepared such an alternative, but the architect determined that a 2/3 massing of the more commercially oriented facades overwhelmed the remaining 1/3. Instead, the architect presented a concept that shifted the original middle mass to the east, but that retained its three-part massing with a transition in materials from brick on the east to Hardipanel on the west, with a lap texture painted a dark royal blue with a light gray offset. The design’s residentially-oriented western end would be clad in an olive green Hardipanel with a board and batten texture. The upper story would be clad in a standing-seam metal colored a warm grey, not a corrugated pattern perceived as too “trendy”. Among other perspectives, the architect presented the view of the design for motorists and pedestrians approaching the site along N. Midvale Pl, with attention to the positive human scale effect of the existing street trees and proposed landscaping surrounding the residential entry.

The updated design would involve three departures from land use code standards, in consideration of a good response to design priorities identified by the Board: reduced residential open space, reduced non-residential street frontage, and increased residential lot coverage above 13'. This report lists requested departures in detail and the design team’s justification on page 23 below.

7/19/2004, 1ST RECOMMENDATIONS – CLARIFYING QUESTIONS BY THE BOARD

The areas colored artichoke and royal blue are painted stucco? The blue and green are both Hardipanel. Straw color on the corner mass would be stucco.

7/19/2004, 1ST RECOMMENDATIONS – PUBLIC COMMENT

Twelve members of the public signed in at the first recommendations meeting. They offered the following design-related comments.

Rooftop machinery

- No provision for rooftop machinery. Where will it be located? – architect clarified there won't be any rooftop equipment other than penthouses for the elevator and penthouses. There will be small mushroom-shaped vents.

Parking access, traffic

- Describe the process for deciding where the parking should be accessed. I live across the street, and it will negatively impact the quality of my life to have that traffic outside my house. Glad the dumpster isn't out there.
- Will the intersection be reworked?
- Disagree with the proposed parking location.
- I don't understand why parking access off Midvale is the better location. It affects us further down 44th and 43rd. We've suggested that 45th would be a better spot. Midvale is a 30'-wide street with cars parked on both sides.
- If it has to be there, then I suggest that the city widen Midvale along that site. Traffic circles are throughout the neighborhood at all the intersections.

East-facing façade

- Does the commercial space on the corner extend the full length of the existing parking lot? Interested in where the south wall is proposed to be. – architect clarified that this wall would be at the property line.

South-facing wall

- Please clarify what's been designed on the south-facing wall. Any drawings related to the south side of the building? Architect clarified that the intent is to provide a pattern on the wall using texture on the inside of the formwork – the design hasn't been completed yet.
- How high is the proposed south wall? Seven feet at the southwest, transitioning to 2-3 feet high at the southeast.
- Landscaping features should incorporate enough evergreen that it creates a landscape blockage between the SF residents and the building.

Height, bulk & scale

- Seems like the NC-40 zoning bleeds too far to the west. A lot of these issues stem from that. Think about how that diagonal street is oriented. Neighborhood suffers from running that 40' height allowance all along the block.
- Architect mentioned that the 2/3 overpowers the 1/3. That proportion also applies to the adjacent houses to the south. This development is out of scale.
- Overall massing works well. Windows are in a regular and normal pattern.
- The massing is good, and done in an interesting way.

Corner expression

- Corner treatment on the left is a treatment, but it's not clear what's happening at the ground level that addresses the corner. If that's the gateway, then why does Midvale have another gateway expression?

Cornice line

- In the last presentation there was a subtle cornice – it's lost in this incarnation. Big roof is trendy today, but might not be tomorrow. It would be good to see a consistent cornice that ties together the disparate ends of the building. The building needs a top, especially on the west side.

Finish materials, colors

- Too many colors going on here – I should be careful what I ask for. Provide colors that are saturated, but not bright. Royal blue shouldn't be in the mix.
- This building has "tarted up". It's the busiest treatment of everything along 45th. This could be a good building, but it's too busy. Try to calm it down.
- Very concerned about the use of metal siding all over the place. Don't see any reason to provide an agricultural building material here – it doesn't fit.
- So many materials are complicated to detail. Not enough care is given to the detailing

Trees on adjacent properties

- Trees on the residential south side. There are two century-old trees there. If the root systems encroach into the project site, that's a concern.

FINAL RECOMMENDATIONS MEETING

The second and final Design Review Recommendations meeting took place on August 16, 2004, at the University Heights Community Center. Five Board members attended, and seventeen (17) members of the public signed in. The applicant submitted an updated design packet, available for public review at the DPD Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

8/16/2004, FINAL RECOMMENDATIONS – APPLICANT'S PRESENTATION

Terry Galiney, representative for the developer, itemized some of the design responses resulting from earlier public feedback, including a reduction in massing on the west side and substantial modulation and design treatment of the project's north façade, and quality finish materials including brick.

Nancy Henderson, GGLO architect, provided a brief chronology of the project's public review, summarizing information presented above. She explained how the updated design comports with the Board's guidance and most recent recommendations:

- The design's massing is located to the north of the site, away from adjacent residential uses;
- The south wall is designed to be low, and exhibits substantial texturing;
- Massing reflects the Board's guidance;

- Existing street trees are to be preserved;
- Trash and recycling is to be accessed from Stone Way N;
- The ground-floor commercial space stops midway along the north façade;
- The northeast corner is emphasized and composed primarily of brick;
- The northeast corner is eroded at the ground level;
- The western portion of the building is reduced to three stories;
- The massing is simplified over the previous design iteration;
- The vehicle access is located on the west side;
- Colors are now “saturated”, but not too bold.

Viewed from the north, the updated design drawings show three principal building masses. The eastern mass is composed primarily of three-story brick bays and artistic tile spandrels and kickplates with interstitial wall segments finished in stucco. The corner element and its flanking bays are vertically expressed and represent a strong commercial presence on the corner. A cornice caps the third level, serving to diminish the design’s apparent scale. The fourth level is composed primarily of a light-colored stucco. The corner is emphasized by a somewhat higher parapet, a darker vertical metal siding on the fourth level, and crowned with a wider brow. At the ground level, the corner entry steps back in consideration of neighborhood guidance. Cable-supported steel awnings project horizontally from the brick facades.

Seen from the north, the central building mass is a continuation of the eastern mass and of a similar scale, but is distinguished by a shift in color and finish materials. Bays are set in a façade composed primarily of stucco panels. Each bay is finished with architectural concrete at the ground floor, horizontal lap siding above, and an unidentified gray siding on the fourth level, and a subtle corniceline that steps down somewhat from the parapet behind, signaling a reduction in scale toward the west. The fenestration pattern shifts slightly from the eastern to the central mass, reflecting a shift in floorplates and a more relaxed, residential composition. A minor eyebrow or trellis above the central mass’ northwest corner provides a minor focal point for the sightline from uphill on N. Midvale Pl.

A landscaped courtyard entry separates the central mass from the western one, where about 30' of the principal façade steps back about 25'. Its perimeter is framed with raised planter beds and potted trees. A projecting bay at the back of the courtyard combines materials and scalar elements of either side to effect a transition between the masses.

Beyond the courtyard to the west, the design steps down to three floors, composed of horizontal lap siding on the first two levels and vertical metal siding on the third. Windows at the ground level are more residential in character, and two residential porches extend into a setback on the west side.

The architect presented the proposed color schemes as “a family of colors, with variety from building to building”. A rendered south elevation shows substantial modulation and variation in color, finished primarily with horizontal lap siding, stucco panel, and vertical metal panels.

The landscape architect described typical sections between the building and the street. On N. 45th St, a five-foot planting strip for street trees, a walkway, and planters against the building, covered in part by a metal awning. On the west side, the residential walkups are set back about 10', providing opportunities for quality landscaping, in addition to the 7' planting strip in the right of way. The proposed location of the driveway requires removal of an existing ash tree along the sidewalk. Considering the locations of both the driveway access and a stop sign at the corner of Midvale Ave N. and N. 45th St, the architect clarified that space remains for one or two parked cars on the east side of Midvale Ave N, providing substantial opportunity for vehicles to pass on this narrow residential street.

The design team noted that the dimensions of the provided residential open space have changed slightly as a result of reallocating the building mass from the western fourth floor, but that the open space program has not changed appreciably.

8/16/2004, FINAL RECOMMENDATIONS – CLARIFYING QUESTIONS BY THE BOARD

Is there any change in the number or scope of requested departures? The applicant provided an updated departure matrix, summarized on page 23.

8/16/2004 FINAL RECOMMENDATIONS – PUBLIC COMMENT

Seventeen (17) members of the public signed in at the final recommendations meeting. They offered the following design-related comments.

Pedestrian amenities and street improvements

- Unaware of the two crosswalks marked on the site plan.
- Propose that you eliminate the remaining on-street parking stall north of the driveway to provide a wider corridor to N. 45th St.
- You should widen Midvale.
- Odd condition where you have a canopy that extends in places over a planter. It's better that canopies cover the sidewalk. It's important that canopies be deep enough to provide some real overhead weather protection.

Vehicle access

- Public comment has consistently opposed locating vehicle access on N. Midvale Ave.

Height, bulk & scale

- This project is simply too big, it's out of scale. On three sides, it's a commercially-zoned enclave. I've never seen such responsiveness to public comment, but the one key problem isn't addressed at all.
- The Board has the authority in transitional properties to reduce the height, bulk & scale of the project.

Architectural composition & colors

- This is not a calm composition. It does not diminish the scale to chop the thing up into eighteen different colors. There are lots of different components, 11 different colors, at least 17 different elements of the building painted different colors on one side of the building. There's too much business, and it doesn't diminish the scale at all.
- Avoid bright or very light colors. I urge the Board to ask them to calm down the darker colors at the top. Have fewer colors. Make some decisions about how you're going to paint the building, and bring it together.
- The cornice is a little less successful, but it's there. There should be a cornice trim that's more consistent throughout the building.
- Bays are lower than the overall roof – that's good.

South wall & adjacent trees

- Please speak to the buffering of the south wall. [Applicant clarified that earth will be bermed against the north side of the south wall, above the parking structure, with shrubs planted above and a railing of aluminum pickets or some other decorative pattern.]
- Please do what's possible to save the trees located across the property line to the south.
- There needs to be a serious effort to protect the existing trees along the south line.
- The rail atop the south wall will resemble a miniaturized monorail project. I'd much rather a wall at 7' across the entire property line. Consider taking the wall to a height that allows all neighbors a degree of due privacy.

GUIDELINES

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance and recommendations described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [*Design Review: Guidelines for Multifamily and Commercial Buildings*](#).

A. Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-5 Respect for Adjacent Sites

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Guidance – Site Planning

First meeting. The Board strongly emphasized the importance of maintaining the view corridor along Stone Way. Therefore, setbacks along the east side of the proposed structure would be encouraged to preserve this view. The Board urged that the structure be set back along Midvale to respect the residential nature of this street. This condition is especially critical along the southern edge of the property where the residential zone to the south does not have the benefit of a street as a buffer. See A-5. At the next meeting, the Board would like to review elevations of the site, including adjacent development within approximately five blocks of the subject site.

The Board requested that the slab and retaining wall necessary to accommodate the parking structure create a respectful edge between the subject site and the residential uses to the south. To this end, the Board recommended situating the open space along the southern edge as a buffer between zones and uses. Likewise, focusing the building mass to the northern edge would also help to minimize impacts to the abutting residential zone. The Board also recommended a sun and shadow study be conducted to ensure that the parcels to the south maintain access to light and air.

The Board would like the applicant to explore the possibility of locating the vehicular access on North 45th Street. Also, at the next meeting, the Board would like to be presented with the neighborhood plan as it relates to this site and proposed building. The Board expressed a preference for the access described in Option B, but would like to make sure that both Metro and SDOT can support access from Stone Way. If the bus stop, which is currently located near the east side of the site, can be shifted further to the south and safe pedestrian crossing can be made across Stone Way, the Board recommends pursuit of this site plan alternative.

The Board recommended that an architectural statement be integrated into the proposed building design at the intersection of North 45th Street and Stone Way. This area has been identified as a neighborhood gateway and the design should reflect this role. The perspective of the building at the northwest corner will be visible from the north and should also establish a strong architectural statement, but of a more residential character than commercial.

Design response. “Providing a view corridor [along Stone Way N] conflicted with several other goals of the neighborhood and the Board – to concentrate units on 45th and Stone, and to reduce the number of units closer to the residential area. The Wallingford Neighborhood Plan also asks that the corner be treated as a “gateway” to Wallingford, which also seems to conflict with this guidance.

“The sun/shadow study shows that the building does not shade the houses to the south. The open space is located on the South property line and the building mass is on the street edge.

“In discussions with SDoT and DPD, it was determined that the Stone Way access to the site will not be feasible. The location of the drive on Midvale appears to have the least impact to pedestrians and adjacent properties.

“We will continue to refine the design in response to the comments received.

Second meeting. The Board pointed out that this property effectively has three corners: NE, NW, and midblock, in that the principal sightline for vehicle and pedestrian traffic along Midvale Pl N. connects with the middle of this block. The applicant should design the structure with this in mind, and should present to the Board a perspective sketch showing this view of the proposed design.

One Board member voiced a concern that the proposed location of the parking access is quite removed from the location of the commercial space, raising the question of whether it will actually be used by commercial clients. Board members acknowledged that several design priorities identified a call for placing the parking access in the proposed location.

Board members supported the program hierarchy for the proposed south-facing open space: secluded and more private open space areas, common adult space, and children’s play spaces.

The Board stated they would welcome a 5' setback to the north to provide a wider sidewalk. This was in response to the applicant’s mistaken interpretation of the existing north property line. See discussion on page 6.

The Board requested that the applicant include in the next presentation an explanation of the garage venting design, and that elevations show proposed rooftop mechanical equipment.

Recommendations – Site Planning

Third meeting. Board members agreed that creating a strong storefront presence on 45th and Stone Way are important, and they recommended that the architect provide evidence of quality detailing at the sidewalk, particularly relating to streetfront materials, the design of awnings, lighting, and landscaping. Some Board members raised concerns that the design doesn’t step back to provide some openness at the corner, but the overall recommendation appeared to be to provide evidence of substantial pedestrian amenities at this gateway location.

Board discussion reflected an understanding of the tradeoffs between a 3-building expression versus a design split into just two principal massing elements. They generally supported the way the building has evolved. They recommended that the architect attempt to unify the design without presenting a uniform elevation.

The Board concurred with the design choice to locate the vehicle entry on Midvale Ave N, but requested that DPD staff and the applicant meet with Seattle Department of Transportation (SDoT) staff to discuss potential measures available in the right of way to address public concerns. Beyond the question of appropriate location of the parking garage, they expressed some frustration to staff that environmental concerns of spillover parking and traffic are not better addressed in a public forum.

Fourth meeting. Board members noted that the purpose of this final meeting is to review colors, materials, and other more fine-grained design issues related to sidewalk amenities, architectural detailing, landscaping, and the corner treatment. The Board complimented the design team on its response to previous siting guidance and recommendations.

B. Height, Bulk & Scale

B-1 Height, Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

Guidance – Height Bulk & Scale

First meeting. The Board requested that a deliberate configuration push the height and bulk of the proposed building mass away from the single-family zone. The Board strongly supported breaking the building masses into separate pieces, so the perceived mass is more compatible with the surrounding scale of development. If notches in the building are included to achieve this, then the indentations should be deep enough to create this perception. The design of the building from the west side should be of a more residential nature, while the eastern half should project a commercial character.

Second meeting. Board members stated that the “wall-like quality” of development on this long block is of concern, so attention to proportion and detail is critical along the 45th St. façade.

The Board recognized the applicant’s clear attempt to represent the structure as three smaller entities. However, the Board recommended that the applicant instead develop a two-part design, in which the eastern portion of the building would read as a commercial building with stronger lines, and the western portion would exhibit a more modulated, residential style. Such a two-part scheme might also allow the

architect to combine the two small courtyards (these spaces feel “left over”, according to Board member) into a larger, more gracious space associated with a grander principal residential entry. Board members identified 15' as a desirable setback at this location. The Board noted that a two-component part would likely be a “big gesture to Wallingford’s commercial gateway”, and an appropriate treatment of the quieter quality of the space at the site’s northwest corner.

The Board commented that the current three-part design appears to be “limited by its symmetry”, and recommended that the applicant design the structure to be asymmetrical, with attention to proportion and scale.

As shown at the meeting, Board members felt the top level is too unified, and that the subtle shifts in floor levels might be an additional design opportunity to visually modulate this long façade.

The Board recommended that the applicant consider a design involving three stories on the structure’s western end, in which the architect would reallocate the volume represented by the fourth-floor units to lower levels. Board members noted that a design departure for residential lot coverage would likely be appropriate to facilitate such an alternative.

Design response. “We have redistributed the units to eliminate the fourth floor on the western building. This has resulted in elimination of one of the “notches” on 45th St. The residential lobby entrance has been enlarged to create a more gracious space.

Recommendations – Height, Bulk & Scale

Third meeting. The Board unanimously approved of the proposed massing, and commended the design team for responding to a concern stated by the public – that the NC2 zone appears to have extended too deeply into an area more appropriately characterized by lower residential buildings. They supported the design response of splitting the principal masses along 45th, relocating fourth floor units and shortening the western end, placing the principal mass on the property’s north side, and providing ample landscaping and texture on the south side.

The Board generally supported the fenestration as proposed.

Fourth meeting. The Board applauded the design team’s efforts to reduce the design’s height on the west side.

Board members noted that the height of the parking structure’s south-facing wall appears to be appropriate, and the wall is adequately textured. Any individual neighbor will experience only their section of it. Board members identified an opportunity for some crenellation across the top of the wall, up and down, and noted that the wall should provide the same quality texturing and patterning as it turns the corner.

C. Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Guidance – Architectural Elements and Materials

First meeting. The Board would like to see the proposed design again before the Master Use Permit application is made so that the alternatives can be further explored along with programmatic changes (open space, access and uses) and more design development has occurred.

Second meeting. The Board expressed a particular concern that materials be of high quality, particularly at the sidewalk level. A commercial space unbroken by an entry courtyard provides opportunities for multiple entries, and the Board asked that the commercial space be designed with this in mind. The Board favors brick and tile along the design's commercially focused component. The Board encourages wide canopies here.

The Board focused on the south-facing façade, and Board guidance was that the applicant should design this façade with a more “casual aesthetic”, with public comment in mind.

Board members supported the comment from the public about saturated colors, particularly for the principal commercially oriented facades.

Board members generally approved of the current treatment of the top level of the residentially-oriented facades, apparently favoring square, more solid treatment of this level over a canted mansard. Metal siding is an option for the upper level as proposed, especially considering it is a fairly minor component of the larger design elevation, but Board members indicated its use should be “sensitive, quality, timeless, not trendy”. The Board recommended that the residential portion of the structure use double-

hung, operable windows. The Board stated that the design's northwest corner needs better definition, without providing further specific guidance in this regard.

Along the 45th St. façade, the Board recommended that the applicant focus on "secondary and tertiary rhythms" that visually modulate the façade beyond its two primary masses. Consider varied fenestration that speaks to the commercial/residential characters of each component.

Design response. "Although the scale is clearly different, the proposed character of the building is intended to transition from a commercial character on the corner of 45th and Stone and a more residential character to the west on Midvale. We have done this by eliminating the ground floor commercial, changing modulation patterns, materials and by adding at grade access to the ground level units.

"We have changed the base material to brick, in response to the community and Board's request. The other materials will be a combination of cementitious siding, stucco, wood trim and a small amount of metal.

Recommendations – Architectural Elements and Materials

Third meeting. Board members agreed with public comment about too many materials, and they recommended that the architect "tone it down somewhat". They particularly recommended that the proposed colors be toned down to something less bright, and that the color scheme of the middle portion of the building should be "brought into the family of the rest of the building".

Board members stated that the brick and stucco combination appears to work well. They recommended that the applicant provide details related to the composition of the brick storefront, showing window mullions and canopies.

The Board recommended that the applicant show drawings detailing windows and entries on the design's residential western end.

Some Board members voiced concerns about the thick, flat brows proposed for the roofline of the design's commercially oriented side. They recommended that a strong cornice is appropriate here, and that it is "highly desirable" to have a well developed top to the building, but that it needs further refinement. They identified developing a more continuous cornice as an appropriate response that might unify the building styles without resulting in an overly unified massing.

Board members supported the chosen materials.

Fourth meeting. The Board complemented the design team in their use of tile inlays in the brick façade.

Board members were generally open to further refinement of the northern façade, keeping in mind the overall objectives of reducing the design's apparent mass and unifying the various elements through color and architectural detail. One Board member stated that the palette of materials, colors, and modulations isn't necessarily too diverse, that the various elements appear to be of the same family and interrelate well. They also identified the further unification of the corniceline as a design opportunity. The Board declined to make any further recommendations to change the overall composition, but agreed that the applicant may work with DPD staff on further refinement.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

D-2 Blank Walls

Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Guidance – Pedestrian Environment

First meeting. The Board agreed that the open spaces shown along Midvale should be well vegetated to maintain a green buffer and transition to the residential zone to the west. At the next meeting, the Board would like to see transverse and longitudinal sections through the site and including the adjacent development. The Board also suggested that the units located at the ground level be flexible to accommodate either commercial or residential spaces providing a transition of uses towards the northern portion of the building.

Second meeting. The Board asked that the updated design drawings show the proposed treatment of the southern wall. The Board welcomed the applicant's suggestion that it be "something subtle", such as leaf imprints.

Design response. "The space in front of the units on Midvale is now shown with stepped planters to mitigate the height of the concrete wall above the grade of the sidewalk.

"The landscape design is based on different functions. There are soft areas for passive use, children's play area and social area with more hard surfaces.

“The street trees have been evaluated by SDoT and will be protected during construction to remain.

Recommendations – Pedestrian Environment

Third meeting. In general, the Board recommended that the architect should focus on graphically communicating the details of the pedestrian experience of the site and the adjacent sidewalks at the next meeting, including identifying likely signage and location of existing crosswalks.

Fourth meeting. The Board recommended that canopies should cover at least 5' of sidewalk, considering the existing trees.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Guidance – Landscaping

First meeting. The Board supported the inclusion of landscaping features – both soft and hardscaped appropriate to the designated open space areas.

The Board requested preservation of the existing street trees that border the subject site.

Second meeting. Board guidance is to use landscaping that is sensitive to safety and privacy concerns raised by neighbors.

Recommendations – Landscaping

Third meeting. The Board recommended approval of the landscape design presented for the south-facing open space. Board members recommended that the applicant be prepared to present a detailed landscape plan at the next meeting, identifying specific landscape treatment of the sidewalk areas only.

Fourth meeting. The Board recommended that the applicant strengthen the landscaping along the top of the south wall, providing for more shelter and privacy, especially from the children's play area.

DEPARTURE FROM DEVELOPMENT STANDARDS

The applicant requested the following departures from Land Use Code development standards.

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board Recommendation</i>
SMC 23.47.024 A , open space . Usable open space shall be at least 20% of residential gross floor area. Approx. 10,700 sq.ft. otherwise required.	11% of residential gross floor area at exterior, or 7,409 SF.	<ul style="list-style-type: none"> Residential open space is sensitively designed for a range of uses and age groups living in the building. Southern, sunny exposure, and careful consideration of neighbors to the south. Relocation of 4th floor apartments on west side has resulted in a bigger footprint for the residential levels, extending further into the proposed open space. 	The Board recommended approval of the proposed departure, in consideration of the comments at left.
SMC 23.47.008 B , non-residential frontage . A minimum of eighty (80) percent of a structure's street front facade at street level shall be occupied by non-residential uses. 399.17' x 80% = 319.34'	Propose 62% – 247.5', located along the northeast and east frontages.	<ul style="list-style-type: none"> This was a request by the neighborhood. The character of 45th changes to residential at the point where N. Midvale Pl. connects to N. 45th Street. The design response was to provide residential on the ground floor instead of commercial at that point. DPD has discretionary authority to waive the requirement for one or more frontages, per 23.47.008 B4. DPD has waived the frontage requirement for Midvale Ave N. DPD staff has recommended that a more appropriate performance standard is to measure commercial frontage from the N. Midvale Pl intersection with 45th, around to the southeast corner. Using that measure, commercial frontage is more than 100% 	The Board recommended approval of the proposed departure, in consideration of the comments at left.
SMC 23.47.008 D , residential lot coverage . Above thirteen (13) feet from finished grade, the residential portion of a structure containing residential and non-residential uses shall be limited to a maximum lot coverage of sixty-four (64) percent.	Propose 67% lot coverage for levels 2 & 3.	<ul style="list-style-type: none"> Relocation of 4th floor apartments on west side has resulted in a bigger footprint for the residential levels 2 & 3. The 4th floor is much smaller than otherwise allowed. 	The Board recommended approval of the proposed departure, in consideration of the comments at left.

DECISION – DESIGN REVIEW

The Director concurs with the recommendations of the Northeast Seattle Design Review Board, delivered August 16, 2004 subject to the conditions listed at the end of this report.

ANALYSIS – SEPA

DPD requires a State Environmental Policy Act (SEPA) analysis for a development of more than four residential units in a Neighborhood Commercial zone, according to Director's Rule [23-2000](#) and SMC [25.05.800](#). The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist signed and dated on March 31, 2004. DPD received letters from six neighborhood residents. This information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short- and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation", subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Air and environmental health. DPD reviewed demolition of the existing structures and grading of contaminated soils under project #[2302376](#). This review therefore assumes the site to be vacant and underlain by clean fill for purposes of determining impacts to air and environmental health. No further conditioning is therefore warranted in this regard.

Construction noise. Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. Due to the proximity of the project site to the residential uses, DPD finds the limitations of the Noise Ordinance to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), mitigation is warranted.

The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or his successor). Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be considered only when the owner(s) and/or responsible party(ies) provide three (3) days prior notice to allow DPD to evaluate the request. See Table 1 and Condition #8, below.

Parking. The site abuts N. 45th St, a busy arterial leading to the Wallingford neighborhood business district. Assuming the removal of existing curbcuts, on-street parking for about six vehicles is available on the south side of 45th adjacent to the site; it is not available on Stone Way N. Periodic visits by DPD staff to the site indicated that on-street parking in this neighborhood is adequately available on weekdays during daytime hours, when most construction work is to occur. Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. The site is large enough to accommodate worker parking and machinery when construction of the garage has been completed. If construction-related parking is located onsite when possible (see Condition #9), then likely parking impacts are not sufficiently adverse to warrant further mitigation.

Construction Vehicles. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site fronts N. 45th St. and Stone Way N, and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hour, and large trucks turning onto the two adjacent arterials would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted. For the duration of the grading activity, the applicant/responsible party shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (Condition #10). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimizes the amount of spilled material

and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new commercial space and new residences; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; loss of vegetation; and increased energy consumption.

The likely long-term impacts are typical of this scale of neighborhood commercial development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption). However, more detailed discussion of some of these impacts is appropriate.

Parking. The project provides 87 on-site parking spaces, in excess of the zoning required minimum (50 spaces for low income residential units, and 13 for the retail space, assuming no agreement to share parking between uses). Census data indicate that households with 50% or less of median income own, on average, no more than one vehicle per unit. These rates likely are even lower in neighborhoods such as Wallingford, where transit is reasonably available. Given a residential parking supply of 1.06 spaces per unit (assuming retail parking is not to be shared), proposed onsite parking is likely to accommodate parking demand generated by the site, and no spillover is likely to occur. No further mitigation is therefore warranted in this regard.

Traffic. Various neighbors submitted written comments identifying traffic safety concerns, particularly with regard to the location of the proposed vehicle access on Midvale Ave N. The Midvale Ave N. right of way is 60' wide, from property line to property line. The existing roadway appears to be about 25', which provides for wider planting strips. Given that there are existing curbs, the applicant is not required to widen the roadway. However, it is possible to expand the roadway to as wide as 32' by widening 3.5' on either side. Such an improvement would involve a 3.5' expansion along the east side of the street, at an estimated cost of \$60-80 thousand. Seattle Department of Transportation (SDoT) indicates that with parking on either side of the street, 3.5' is insufficient to provide for an extra passing lane.

The proposal appears to provide for adequate sight lines and vehicle maneuvering space. The western property line of the subject site is 95' long. The proposed driveway adjacent to the south property line is 20' wide, and no parking is allowed within 5' of the driveway. At the intersection of Midvale Ave N.

and N. 45th St., no parking is allowed within 30' of the corner and the stop sign. That leaves about 40' for parking, which is less than the standard length required for two cars. It's therefore possible to restrict on-street parking by painting the curb red for the majority of the curb along the west property line. The applicant and SDoT may even remove parking altogether along that western curbline, but traffic calming factors and on-street parking concerns would argue for keeping at least one legal space.

From the standpoint of traffic safety, the proposed design provides adequate sightlines to the sidewalk for drivers entering and exiting the building. Considering that only one or two vehicles may park on the east side of Midvale Ave N, there is adequate room for maneuvering in this narrow right of way

DPD determines that the project's likely traffic impacts are not sufficiently adverse to warrant mitigation.

Height, Bulk & Scale. The subject site is located in an NC2-40 zone. Allowed height in this zone is 40', not including provisions for parapets and other rooftop appurtenances. Adjacent properties to the south are zoned SF 5000. Allowed height in this zone is 30' to the top of wall, and 35' to the ridge of a pitched roof. To the west across Midvale Ave N, land is zoned L2. Allowed height in this zone is 25' to top of wall, 35' to the ridge of a pitched roof.

The City's SEPA policy, SMC [25.05.675 G](#) states, in part: *It is the City's policy that the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section C of the land use element of the Seattle comprehensive plan regarding the System of Land Use Regulation ... and the adopted land use regulations for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.*

The policy further states: *The Citywide design guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the design review process is presumed to comply with these height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decisionmaker pursuant to these height, bulk and scale policies on projects that have undergone design review shall comply with design guidelines applicable to the project.*

Through Design Review, the applicant responded to public comment, Board guidance and recommendations by:

- locating the principal building mass to the north of the site, away from adjacent single family homes,
- locating the residential open space to the south of the site, which serves as a low, landscaped buffer,
- designing a textured, low concrete wall for the parking structure, The south wall is designed to be low, and exhibits substantial texturing,
- massing the long north façade in accordance with Board guidance,

- modulating the building's south façade in accordance with Board guidance,
- stepping the western portion of the building from four to three stories.

As the project has received substantial review and treatment through Design Review, DPD therefore determines that no further mitigation is warranted.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

CONDITIONS – DESIGN REVIEW

The following Design Review conditions 0, 5, and 6 are not subject to appeal.

Prior to Issuance of the Master Use Permit

1. The applicant shall update the Master Use Permit plans to incorporate and reflect drawings shown to the Design Review Board on August 16, 2004 and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.
2. In accordance with the Board's recommendation, the applicant shall update the Master Use Permit drawings to show that the west facing wall of the parking structure provides the same quality texturing and patterning proposed for the south wall, acceptable to the assigned planner.
3. In accordance with the Board's recommendation, the applicant shall update the Master Use Permit drawings to show canopies that cover at least 5' of the sidewalk, acceptable to the assigned planner.

4. In accordance with the Board's recommendation, the applicant shall update the Master Use Permit drawings to show enhanced landscaping along the top of the south wall, acceptable to the assigned planner. The updated landscape design shall provide for shelter and privacy, especially from the children's play area.

Prior to and/or During Construction

5. Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

6. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

CONDITIONS – SEPA

Prior to Issuance of any Permit to Construct or Demolish

7. The owner(s) and/or responsible party(ies) shall submit a statement acceptable to the DPD planner verifying that construction-related parking is to be accommodated on-site.

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

8. The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays² to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the

² Holidays recognized by the City of Seattle are listed on the City website, www.seattle.gov/personnel/employees/holidays.asp

undersigned Land Use Planner or his successor. Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days' prior notice to allow DPD to evaluate the request.

	Non-holiday work hours						
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

Table 1. Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

9. Parking for construction workers shall be provided on-site as soon as is feasible.
10. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays.

Signature: (signature on file) Date: December 23, 2004
 Scott A. Ringgold, Land Use Planner